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# **Notice of Allowability**

Application No.

10/733,699

Examiner

Rita Leykin

Applicant(s)

FUKUMURA ET AL.

Art Unit

2837

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 8/16/24.
2. ☒ The allowed claim(s) is/are 1-3,6,8,13,15,16 and 24-32.
3. ☒ The drawings filed on 11 December 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

Rita Leykin  
 Primary Examiner  
 10/733,699  
 2837  
*Rita Leykin*

## **REASONS FOR ALLOWANCE**

1. The following is an examiner's statement of reasons for allowance: The prior art made of record in the attached form PTO-892 considered to be pertinent to the submitted application.

Kloesters US # 6,246,195, teaches in abstract an apparatus for lowering a power window, wherein the system slacks are determined in operating device of the window and then system slacks are eliminated in the lowering direction of the window by corresponding control of operational device.

In Fig. 3 Kloesters discloses a door 1 that is provided with window 2 to be lowered by operating device 3. In the locked condition of the vehicle the upper edge 5 of the window is in position P, shown in Fig. 2. Position R shows the window in the recess 6 without any bracing. The path difference between positions P and R is small and is a result of deformation of the seal 7. Position Q corresponds approximately to position P, but with less prestressing that is applied in position P, (see column 3, lines 38-62).

In the Fig. 3, in positions P, Q and S the operating device 3 is in movement in the direction of lifting the window 2.

In Fig. 4 the system slacks are determined in initiating step, which result from mechanical tolerances of the operating device. At an arbitrary point in time, in step 11, window is completely lifted to position P. The difference between the reaching of position R and of position P is determined as a system slack and stored and corresponds to the pass of window 2 resulting from the elastic deformation of the seal 7.

Since the moving speed of the window 2 and particularly the stressing of the operating device 3 clearly changes when position R is reached it is possible to determine the system slack.

However, none of the prior art teaches or suggests in combination the sequence of:

- Energizing the motor to urge the panel toward the closed position to reduce any slack associated with coupling between the motor and panel;
- Determining the initialization position when there is no slack.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rita Leykin whose telephone number is (571)272-2066. The examiner can normally be reached on Monday-Friday 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Martin can be reached on (571)272-2107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Rita Leykin  
Primary Examiner  
Art Unit 2837

A handwritten signature in black ink, appearing to read "Rita Leykin", written in a cursive style.

R.L.